

CHARTER REVIEW COMMISSION
Wednesday, December 12, 2007 – 8:00 a.m.
6th Floor Conference Room
Council Office Building

Commission Members Present:

Nancy Soreng, Chair
Michael Cogan
Karen Czapanskiy
Dianne Felton
Wilbur Friedman
Mollie Habermeier
Judith Vandegriff
Anne Marie Vassallo
Charles Wolff

Staff:

Justina Ferber, County Council
Marc Hansen, Office of the County Attorney
Marie Jean-Paul, County Council
Amanda Mihill, County Council

Guests:

County Executive Isiah Leggett
Mike Faden, County Council

Commission Members Absent

Alice Gresham Bullock, Vice-Chair
Robert Shoenberg

Commission Chair Nancy Soreng called the meeting to order at 8:03 a.m.

I. Administrative Items

Approved the minutes from the October 10 Commission meeting. Motion made by Dianne Felton and seconded by Judith Vandegriff. Those in favor: Karen Czapanskiy, Dianne Felton, Wilbur Friedman, Mollie Habermeier, Nancy Soreng, Judith Vandegriff, Anne Marie Vassallo, and Charles Wolff.

Approved the minutes from the November 14 Commission meeting. Motion made by Karen Czapanskiy and seconded by Wilbur Friedman. Those in favor: Karen Czapanskiy, Dianne Felton, Wilbur Friedman, Mollie Habermeier, Nancy Soreng, Judith Vandegriff, Anne Marie Vassallo, and Charles Wolff.

II. Meet with County Executive Isiah Leggett

County Executive Leggett recommended that the composition of the Council be changed. County Executive Leggett suggested that the number of Councilmembers should be increased from 9 to 11 and that of 11 Councilmembers, 4 members should remain at large, but the number of district representatives should be increased from 5 to 7. County Executive Leggett explained the reasoning for the 7/4 split was because if you increase the Council to 11 members, appropriate splits could be 8/3, 7/4, or 6/5 and that 7/4 was a middle-of-the-road option. County

Executive Leggett argued that the composition of the County has changed, but the composition of the Council has not and noted his belief that the size of the at-large districts and the cost of running an at-large campaign is a barrier to entry for potential candidates. Responding to questions from Commission members, County Executive Leggett argued that an increase in the number of district representatives would not increase parochialism and disagreed with the argument that an increased number of Councilmembers would enhance the power of the County Executive. County Executive Leggett stated his belief that people outside of government are generally supportive of this proposal and people in government prefer the status quo and therefore do not like this proposal. In response to a question by a Commission member, County Executive Leggett noted that the current space in the Council Office Building could be large enough to accommodate an increase in the number of Councilmembers, but noted that an increase in district representation is better governance and fiscal impacts should not stand in the way of better governance.

County Executive Leggett also recommended that the Council President be elected by County residents to a full 4-year term as one of the at large positions. County Executive Leggett argued that the current process of electing a Council President is not a public process, it does not allow citizens to participate in the Council President election, and is influenced by an ability to persuade 5 Councilmembers that a particular member would represent the Council well. County Executive Leggett further argued that a directly-elected Council President would enhance the power of the presidency and would provide increased accountability. One Commission member noted that making this change could change the career path of some district Councilmembers. In response, County Executive Leggett stated that being a Councilmember or the Executive should not be considered a job and elected officials should be focused on how best to serve County citizens.

County Executive Leggett also recommended amending the Charter to include the Inspector General as an entity in the Executive Branch that would be nominated by the Executive and confirmed by the Council. Under this proposal, an Inspector General would only be allowed to serve 2 consecutive terms and removal of an Inspector General in the middle of a term would only be allowed for good cause. County Executive Leggett explained the history of the current Inspector General law and noted that the original legislation was similar to this proposal, but then-County Executive Douglas Duncan believed the position to be against the Charter and vetoed the legislation. As a compromise to override the veto, the enacted legislation called for an Inspector General nominated and confirmed by the Council. Responding to questions from the Commission, County Executive Leggett stated that this charter change may not change the work of the Inspector General, but both sides of County government should be involved in the process of selecting an Inspector General. One Commission member questioned what would happen if the Executive did not appoint an Inspector General and County Executive Leggett responded that the Council could choose not to appoint one now and people have to assume that elected officials will do the jobs that they are supposed to do.

Responding to questions from Commission members, County Executive Leggett stated that he did not support exempting special taxing districts from the limitation on property tax revenue growth to the rate of inflation because it sends the wrong message and creates a greater capacity to increase taxes. County Executive Leggett also stated that he did not support

changing the redistricting process because the current process is open and transparent and politics cannot be removed from redistricting. As an example, County Executive Leggett noted that the panel of retired judges that may be involved in redistricting could be elected by political parties. Responding to a question regarding whether the budget should be biennial rather than annual, County Executive Leggett stated that he has not taken a position on the issue. One Commission member expressed general concerns about the school system, and County Executive Leggett noted that changes to the school system would require changes to state law. Another Commission member questioned whether the number of potential measures on the ballot should affect what the Commission recommends to the Council, but County Executive Leggett stated that he was not concerned about the number of measures. County Executive Leggett stated his belief that the signature requirement to place an initiative on the ballot was low, but noted that this, too, would require a change at the state level. Finally, County Executive Leggett recommended that the Commission study issues that could be in the charter now, not study issues that could be charter material at a later date (e.g., potential County campaign finance issues).

III. Discussion and Adoption of Issues for Study

The Commission discussed that there will currently be at least 3 measures on ballot in November: a referendum on slot machines, the issue of early voting (and absentee and youth registration), and the proposal by Robin Ficker to require all 9 Councilmembers to override the Charter limit on property tax revenue growth to the rate of inflation.

In response to a request from the Commission to poll Councilmembers to see if they felt the Commission should study Mr. Ficker's proposal, Amanda Mihill reported that of the 9 Councilmembers, a bare majority responded to a request for input and of those that responded, a bare majority supported the Commission's study of the proposal.

Commission members discussed issues that they wanted to study further. To this end, the Commission took the following actions:

- Study the composition of the Council and whether to change the number of Councilmembers and the number of districts. Motion made by Dianne Felton and seconded by Charles Wolff.
 - In favor: Michael Cogan, Dianne Felton, Wilbur Friedman, Mollie Habermeier, Charles Wolff (5)
 - Against: Karen Czapanskiy, Nancy Soreng, Judith Vandegriff, Anne Marie Vassallo (4)
- Consider Charter Section 305. Motion made by Wilbur Friedman and seconded by Judith Vandegriff.
 - In favor: Karen Czapanskiy, Dianne Felton, Wilbur Friedman, Judith Vandegriff, Anne Marie Vassallo, Charles Wolff, (6)
 - Against: Michael Cogan, Mollie Habermeier (2)
 - Abstain: Nancy Soreng (1)

- Study whether the budget cycle should be biennial rather than annual. Motion made by Dianne Felton and seconded by Anne Marie Vassallo.
 In favor: Dianne Felton, Wilbur Friedman, Anne Marie Vassallo (3)
 Against: Michael Cogan, Karen Czapanskiy, Mollie Habermeier, Nancy Soreng, Judith Vandegriff, Charles Wolff (6)

- Study whether to amend the Charter to provide for an Executive nominated, Council confirmed Inspector General. Motion made by Karen Czapanskiy and seconded by Michael Cogan.
 In favor: Michael Cogan, Karen Czapanskiy, Dianne Felton, Wilbur Friedman, Mollie Habermeier, Judith Vandegriff, Anne Marie Vassallo (7)
 Against: Charles Wolff (1)
 Abstain: Nancy Soreng (1)

- Study whether to comment on putting forward a Charter amendment to remove certain moot provisions from the Charter. Motion made by Anne Marie Vassallo and seconded by Wilbur Friedman.
 In favor: Michael Cogan, Karen Czapanskiy, Dianne Felton, Wilbur Friedman, Mollie Habermeier, Judith Vandegriff, Anne Marie Vassallo, Charles Wolff
 Against: (0)
 Abstain: Nancy Soreng (1)

- Study modifying the redistricting process to limit political influence. Motion made by Charles Wolff and seconded by Wilbur Friedman.
 In favor: Wilbur Friedman, Judith Vandegriff, Anne Marie Vassallo, Charles Wolff (4)
 Against: Michael Cogan, Karen Czapanskiy, Dianne Felton, Mollie Habermeier, Nancy Soreng (5)

- Study the selection of the Council President. Motion made by Michael Cogan and seconded by Wilbur Friedman.
 In favor: Michael Cogan, Karen Czapanskiy, Wilbur Friedman, Mollie Habermeier, Judith Vandegriff, Anne Marie Vassallo, Charles Wolff (7)
 Against: Dianne Felton, Nancy Soreng (2)

Michael Cogan announced that in the future, he may want to amend the work plan to study the issue related to County employees holding multiple offices.

Ms. Soreng noted that at the January meeting, Commission members may refine these proposals, identify priorities, and discuss what procedure to follow during the Commission's study of the issues.

Mollie Habermeier requested Council staff send an e-mail listing the issues the Commission agreed to study and Karen Czapanskiy noted that the Charter Review Commission's website needs to be updated with current information.

Ms. Soreng adjourned the meeting at 9:37 a.m.

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